## UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

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| ) Case No. 3:11-cv-1199 |
| ) Judge Trauger         |
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## **ORDER**

For the reasons expressed in the accompanying Memorandum, the Defendants' Motion to Dismiss (Docket No. 55) is **GRANTED** in part and **DENIED** in part. In particular, all of MAH's claims against the defendants are dismissed, with the exception of the fraud and civil conspiracy claims pertaining to the loss of management fees resulting from the Shiroyama assignment.

It is so Ordered.

Enter this 18th day of July 2013.

ALETA A. TRAUGER United States District Judge